

UNOFFICIAL VERSION

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WEDNESDAY, JANUARY 13, 2021

SECOND ORGANIZATIONAL DAY

CALL TO ORDER

The Senate met at 8:45 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Pastor Harold D. Covington of Spirit of Love Worship Center in Brownsville, Tennessee, a guest of Senator Walley.

PLEDGE OF ALLEGIANCE

Senator Walley led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Walley led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 31

Senators present were: Akbari, Bailey, Bell, Bowling, Briggs, Campbell, Crowe, Gardenhire, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Walley, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

COMMUNICATIONS

January 14, 2021

Lt. Governor McNally:

Please accept this letter as written notification that I was unable to attend yesterday's session, due to my personal health.

Regards,

/s/Senator Sara Kyle

APPROVED: Lieutenant Governor
Randy McNally

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January 12, 2021

Dear Lt. Governor McNally:

Please excuse Senator Gilmore from session today, Wednesday, January 13, 2021. She will not be able to attend.

Sincerely,

Brenda Gilmore, Senator
lh/bg

APPROVED: Lieutenant Governor
Randy McNally

MOTION

Senator Johnson moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 111 through 117** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced the following bills were filed for introduction and passed first consideration:

Senate Bill No. 111 by Senator Gardenhire.

Public Officials -- As introduced, prohibits a public facility from being named for a public official who is in office, for two years after the public official leaves office, or if the public official has been convicted of a felony or a crime of moral turpitude; prohibits a public official from making charitable donations in the public official's name if the donation is from public funds. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9 and Title 12.

Senate Bill No. 112 by Senator Gardenhire.

Motor Vehicles, Titling and Registration -- As introduced, clarifies that a lienor is required to send notice of a discharged lien to the department of revenue on the date the lien is discharged and that the department must be notified of the discharge within 72 hours of the date of discharge. Amends TCA Title 55, Chapter 3.

Senate Bill No. 113 by Senator Gardenhire.

Water Pollution -- As introduced, requires a municipality to abate the storm water fees owed by a property owner until such fees equal the construction costs of any holding or retention ponds constructed by the property owner pursuant to the Clean Water Act. Amends TCA Title 68, Chapter 221.

Senate Bill No. 114 by Senator Gardenhire.

Intellectual & Developmental Disabilities, Dept. of -- As introduced, requires the department to increase over a three-year period the wage for direct care professionals employed by contracted agencies of the department to \$15 per hour; requires annual increases in the hourly wage thereafter. Amends TCA Title 33.

Senate Bill No. 115 by Senator Haile.

Driver Licenses -- As introduced, disqualifies for life persons convicted of trafficking for a commercial sex act from obtaining a commercial driver license; requires lifetime suspension of commercial driver license for persons convicted of trafficking for a commercial sex act. Amends TCA Title 39, Chapter 13, Part 3 and Title 55, Chapter 50.

Senate Bill No. 116 by Senator Johnson.

Insurance Companies, Agents, Brokers, Policies -- As introduced, provides that legal service plans entered into by a person and certain intermediary organizations are not considered legal insurance for the purposes of the Tennessee Legal Insurance Act. Amends TCA Title 56 and Title 67.

Senate Bill No. 117 by Senator Johnson.

Consumer Protection -- As introduced, creates a private right of action for owners, assignees, agents, or licensees of commercial recordings or audiovisual works electronically disseminated in violation of the True Origin of Goods Act; clarifies that no criminal penalty is incurred with a violation of the Act. Amends TCA Title 47.

MOTION

Senator Johnson moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 1 through 110** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 1 referred to the Committee on Commerce and Labor.

Senate Bill No. 2 referred to the Committee on State and Local Government.

Senate Bill No. 3 referred to the Committee on Judiciary.

Senate Bill No. 4 referred to the Committee on State and Local Government.

Senate Bill No. 5 referred to the Committee on State and Local Government.

Senate Bill No. 6 referred to the Committee on Education.

Senate Bill No. 7 referred to the Committee on Health and Welfare.

Senate Bill No. 8 referred to the Committee on State and Local Government.

Senate Bill No. 9 referred to the Committee on Education.

Senate Bill No. 10 referred to the Committee on State and Local Government.

Senate Bill No. 11 referred to the Committee on State and Local Government.

Senate Bill No. 12 referred to the Committee on Commerce and Labor.

Senate Bill No. 13 referred to the Committee on Commerce and Labor.

Senate Bill No. 14 referred to the Committee on Transportation and Safety.

Senate Bill No. 15 referred to the Committee on Health and Welfare.

Senate Bill No. 16 referred to the Committee on Judiciary.

Senate Bill No. 17 referred to the Committee on Judiciary.

Senate Bill No. 18 referred to the Committee on State and Local Government.

Senate Bill No. 19 referred to the Committee on Judiciary.

Senate Bill No. 20 referred to the Committee on Health and Welfare.

Senate Bill No. 21 referred to the Committee on Health and Welfare.

Senate Bill No. 22 referred to the Committee on State and Local Government.

Senate Bill No. 23 referred to the Committee on State and Local Government.

Senate Bill No. 24 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 25 referred to the Committee on Judiciary.

Senate Bill No. 26 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 27 referred to the Committee on State and Local Government.

Senate Bill No. 28 referred to the Committee on State and Local Government.

Senate Bill No. 29 referred to the Committee on Commerce and Labor.

Senate Bill No. 30 referred to the Committee on Government Operations.

Senate Bill No. 31 referred to the Committee on Government Operations.

Senate Bill No. 32 referred to the Committee on Government Operations.

Senate Bill No. 33 referred to the Committee on Government Operations.

Senate Bill No. 34 referred to the Committee on Government Operations.

Senate Bill No. 35 referred to the Committee on Government Operations.

Senate Bill No. 36 referred to the Committee on Government Operations.

Senate Bill No. 37 referred to the Committee on Government Operations.

Senate Bill No. 38 referred to the Committee on Government Operations.

Senate Bill No. 39 referred to the Committee on Government Operations.

Senate Bill No. 40 referred to the Committee on Government Operations.

Senate Bill No. 41 referred to the Committee on Government Operations.

Senate Bill No. 42 referred to the Committee on Government Operations.

Senate Bill No. 43 referred to the Committee on Government Operations.

Senate Bill No. 44 referred to the Committee on Government Operations.

Senate Bill No. 45 referred to the Committee on Government Operations.

Senate Bill No. 46 referred to the Committee on Government Operations.

Senate Bill No. 47 referred to the Committee on Government Operations.

Senate Bill No. 48 referred to the Committee on Government Operations.

Senate Bill No. 49 referred to the Committee on Government Operations.

Senate Bill No. 50 referred to the Committee on Government Operations.

Senate Bill No. 51 referred to the Committee on Government Operations.

Senate Bill No. 52 referred to the Committee on Government Operations.

Senate Bill No. 53 referred to the Committee on Government Operations.

Senate Bill No. 54 referred to the Committee on Government Operations.

Senate Bill No. 55 referred to the Committee on Government Operations.

Senate Bill No. 56 referred to the Committee on Government Operations.

Senate Bill No. 57 referred to the Committee on Government Operations.

Senate Bill No. 58 referred to the Committee on Government Operations.

Senate Bill No. 59 referred to the Committee on Government Operations.

Senate Bill No. 60 referred to the Committee on Government Operations.

Senate Bill No. 61 referred to the Committee on Government Operations.

Senate Bill No. 62 referred to the Committee on Government Operations.

Senate Bill No. 63 referred to the Committee on Government Operations.

Senate Bill No. 64 referred to the Committee on Government Operations.

Senate Bill No. 65 referred to the Committee on Government Operations.

Senate Bill No. 66 referred to the Committee on Government Operations.

Senate Bill No. 67 referred to the Committee on Government Operations.

Senate Bill No. 68 referred to the Committee on Government Operations.

Senate Bill No. 69 referred to the Committee on Government Operations.

Senate Bill No. 70 referred to the Committee on Government Operations.

Senate Bill No. 71 referred to the Committee on Government Operations.

Senate Bill No. 72 referred to the Committee on Government Operations.

Senate Bill No. 73 referred to the Committee on Government Operations.

Senate Bill No. 74 referred to the Committee on Government Operations.

Senate Bill No. 75 referred to the Committee on Government Operations.

Senate Bill No. 76 referred to the Committee on Government Operations.

Senate Bill No. 77 referred to the Committee on Government Operations.

Senate Bill No. 78 referred to the Committee on Government Operations.

Senate Bill No. 79 referred to the Committee on Government Operations.

Senate Bill No. 80 referred to the Committee on Government Operations.

Senate Bill No. 81 referred to the Committee on Government Operations.

Senate Bill No. 82 referred to the Committee on Government Operations.

Senate Bill No. 83 referred to the Committee on Government Operations.

Senate Bill No. 84 referred to the Committee on Government Operations.

Senate Bill No. 85 referred to the Committee on Government Operations.

Senate Bill No. 86 referred to the Committee on Government Operations.

Senate Bill No. 87 referred to the Committee on Government Operations.

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Senate Bill No. 88 referred to the Committee on Government Operations.

Senate Bill No. 89 referred to the Committee on Government Operations.

Senate Bill No. 90 referred to the Committee on Government Operations.

Senate Bill No. 91 referred to the Committee on Government Operations.

Senate Bill No. 92 referred to the Committee on Government Operations.

Senate Bill No. 93 referred to the Committee on Government Operations.

Senate Bill No. 94 referred to the Committee on Government Operations.

Senate Bill No. 95 referred to the Committee on Government Operations.

Senate Bill No. 96 referred to the Committee on Government Operations.

Senate Bill No. 97 referred to the Committee on Government Operations.

Senate Bill No. 98 referred to the Committee on State and Local Government.

Senate Bill No. 99 Local bill -- held on desk.

Senate Bill No. 100 referred to the Committee on Health and Welfare.

Senate Bill No. 101 referred to the Committee on Government Operations.

Senate Bill No. 102 referred to the Committee on Judiciary.

Senate Bill No. 103 referred to the Committee on Education.

Senate Bill No. 104 referred to the Committee on Health and Welfare.

Senate Bill No. 105 referred to the Committee on State and Local Government.

Senate Bill No. 106 referred to the Committee on State and Local Government.

Senate Bill No. 107 referred to the Committee on Health and Welfare.

Senate Bill No. 108 referred to the Committee on Judiciary.

Senate Bill No. 109 referred to the Committee on Education.

Senate Bill No. 110 referred to the Committee on Transportation and Safety.

MOTION

Senator Johnson moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 25 through 29** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 25 by Senator Johnson.
TennCare -- Authorizes the governor to implement the TennCare III demonstration waiver.

Senate Joint Resolution No. 26 by Senator Watson.
Memorials, Death -- Jim Adams.

Senate Joint Resolution No. 27 by Senator Bell.
Memorials, Recognition -- "Bleeding Disorders Awareness Month" in Tennessee, March 2021.

Senate Joint Resolution No. 28 by Senator Haile.
Memorials, Retirement -- Vice Mayor John Kerley.

Senate Joint Resolution No. 29 by Senator Haile.
Memorials, Recognition -- Sumner County Board of Education, 2020 TSBA School Board of the Year.

MOTION

Senator Johnson moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 1 through 12 and 14 through 23** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

Senate Joint Resolution No. 1 -- Constitutional Amendments -- Proposes amendment to Article VI, Section 5 to provide for the selection of the attorney general and reporter for the state with nomination by the supreme court and confirmation by the general assembly.

The Speaker announced that he had referred Senate Joint Resolution No. 1 to the Committee on Judiciary.

Senate Joint Resolution No. 2 -- Constitutional Amendments -- Proposes adding a provision establishing the right to work regardless of status of affiliation with any labor union or employee organization.

The Speaker announced that he had referred Senate Joint Resolution No. 2 to the Committee on Judiciary.

Senate Joint Resolution No. 3 -- Memorials, Professional Achievement -- Deborah Deal, 2020 Nurse Leader of Distinction Award.

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The Speaker announced that he had referred Senate Joint Resolution No. 3 to the Committee on Calendar.

Senate Joint Resolution No. 4 -- Memorials, Recognition -- Tuftco Corp., 60th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 4 to the Committee on Calendar.

Senate Joint Resolution No. 5 -- Memorials, Recognition -- Creswell Richardson, 50th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 5 to the Committee on Calendar.

Senate Joint Resolution No. 6 -- Memorials, Recognition -- Top Flight, 100th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 6 to the Committee on Calendar.

Senate Joint Resolution No. 7 -- Memorials, Professional Achievement -- Betsy Chase, 2020 Champions of Health Care Award.

The Speaker announced that he had referred Senate Joint Resolution No. 7 to the Committee on Calendar.

Senate Joint Resolution No. 8 -- Memorials, Death -- John Thomas Harvey.

The Speaker announced that he had referred Senate Joint Resolution No. 8 to the Committee on Calendar.

Senate Joint Resolution No. 9 -- Memorials, Death -- Euell "Dean" Bush.

The Speaker announced that he had referred Senate Joint Resolution No. 9 to the Committee on Calendar.

Senate Joint Resolution No. 10 -- Constitutional Amendments -- Proposes an amendment to the Constitution of Tennessee to provide for the exercise of powers and duties of the governor during disability.

The Speaker announced that he had referred Senate Joint Resolution No. 10 to the Committee on Judiciary.

Senate Joint Resolution No. 11 -- Naming and Designating -- "Certified Government Financial Manager Month," March 2021.

The Speaker announced that he had referred Senate Joint Resolution No. 11 to the Committee on State and Local Government.

Senate Joint Resolution No. 12 -- Memorials, Public Service -- John David Douglas.

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The Speaker announced that he had referred Senate Joint Resolution No. 12 to the Committee on Calendar.

Senate Joint Resolution No. 14 -- Memorials, Death -- Wanda Lee Moody.

The Speaker announced that he had referred Senate Joint Resolution No. 14 to the Committee on Calendar.

Senate Joint Resolution No. 15 -- General Assembly, Statement of Intent or Position -- Urges President Joseph R. Biden, Jr., to honor Dolly Parton with the Presidential Medal of Freedom.

The Speaker announced that he had referred Senate Joint Resolution No. 15 to the Committee on State and Local Government.

Senate Joint Resolution No. 16 -- Memorials, Death -- Tom Miller.

The Speaker announced that he had referred Senate Joint Resolution No. 16 to the Committee on Calendar.

Senate Joint Resolution No. 17 -- Memorials, Retirement -- Chris Bundgaard.

The Speaker announced that he had referred Senate Joint Resolution No. 17 to the Committee on Calendar.

Senate Joint Resolution No. 18 -- Memorials, Death -- Joseph Hamilton "Jody" Bowman IV.

The Speaker announced that he had referred Senate Joint Resolution No. 18 to the Committee on Calendar.

Senate Joint Resolution No. 19 -- Memorials, Sports -- Coach Barbara Campbell, Brentwood High School.

The Speaker announced that he had referred Senate Joint Resolution No. 19 to the Committee on Calendar.

Senate Joint Resolution No. 20 -- Memorials, Recognition -- Roane State Community College, 2020 Community College of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 20 to the Committee on Calendar.

Senate Joint Resolution No. 21 -- Memorials, Death -- Gary Drinkard.

The Speaker announced that he had referred Senate Joint Resolution No. 21 to the Committee on Calendar.

Senate Joint Resolution No. 22 -- Memorials, Death -- Samuel Melvin Browder.

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The Speaker announced that he had referred Senate Joint Resolution No. 22 to the Committee on Calendar.

Senate Joint Resolution No. 23 -- Memorials, Death -- Curtis Keith Henry.

The Speaker announced that he had referred Senate Joint Resolution No. 23 to the Committee on Calendar.

ELECTION OF FISCAL REVIEW COMMITTEE

Mr. Speaker McNally declared the election of the Fiscal Review Committee as authorized by TCA § 3-7-101, was now in order.

Senator Johnson placed in nomination the name of Senator Yager for a position to the Fiscal Review Committee.

Senator Haile seconded the nomination of Senator Yager.

Mr. Speaker McNally declared pursuant to TCA § 3-7-101 Senator Yager duly and legally elected to the Fiscal Review Committee for the ensuing two years.

Senator Johnson placed in nomination the name of Senator Gardenhire for a position to the Fiscal Review Committee.

Senator Yager seconded the nomination of Senator Gardenhire.

Mr. Speaker McNally declared pursuant to TCA § 3-7-101 Senator Gardenhire duly and legally elected to the Fiscal Review Committee for the ensuing two years.

Senator Johnson placed in nomination the name of Senator Rose for a position to the Fiscal Review Committee.

Senator Yager seconded the nomination of Senator Rose.

Mr. Speaker McNally declared pursuant to TCA § 3-7-101 Senator Rose duly and legally elected to the Fiscal Review Committee for the ensuing two years.

Senator Yarbrow placed in nomination the name of Senator Campbell for a position to the Fiscal Review Committee.

Senator Akbari seconded the nomination of Senator Campbell.

Mr. Speaker McNally declared pursuant to TCA § 3-7-101 Senator Campbell duly and legally elected to the Fiscal Review Committee for the ensuing two years.

APPOINTMENTS

Pursuant to Senate Rules 3, 73 and 74, the Speaker announced the appointments for the Senate of the One Hundred Twelfth General Assembly:

STANDING COMMITTEES

COMMERCE AND LABOR

Bailey (R), Chairperson; Swann (R), First Vice Chairperson; Niceley (R), Second Vice Chairperson; Akbari (D), Johnson (R), Reeves (R), Southerland (R), Watson (R) and Yager (R).

EDUCATION

Kelsey (R), Chairperson; Lundberg, First Vice Chairperson; Akbari (D), Second Vice Chairperson; Bell (R), Crowe (R), Haile (R), Hensley (R), Powers (R) and White (R).

ENERGY, AGRICULTURE AND NATURAL RESOURCES

Southerland (R), Chairperson; Niceley (R), First Vice Chairperson; Pody (R), Second Vice Chairperson; Bowling (R), Campbell (D), Reeves (R), Robinson (D), Rose (R) and Walley (R).

FINANCE, WAYS AND MEANS

Watson (R), Chairperson; Stevens (R), First Vice Chairperson; Hensley (R), Second Vice Chairperson; Gardenhire (R), Gilmore (D), Haile (R), Johnson (R), Lundberg (R), White (R), Yager (R) and Yarbro (D).

GOVERNMENT OPERATIONS

Roberts (R), Chairperson; Jackson (R), First Vice Chairperson; Bowling (R), Second Vice Chairperson; Bell (R), Campbell (D), Crowe (R), Kyle (D), Pody (R) and Rose (R).

HEALTH AND WELFARE

Crowe (R), Chairperson; Haile (R), First Vice Chairperson; Reeves (R), Second Vice Chairperson; Hensley (R), Jackson (R), Massey (R), Swann (R), Watson (R) and Yarbro (D).

JUDICIARY

Bell (R), Chairperson; White (R), First Vice Chairperson; Rose (R), Second Vice Chairperson; Gardenhire (R), Kyle (D), Lundberg (R), Roberts (R), Robinson (D) and Stevens (R).

STATE AND LOCAL GOVERNMENT

Briggs (R), Chairperson; Gardenhire (R), First Vice Chairperson; Walley (R), Second Vice Chairperson; Jackson (R), Kelsey (R), Kyle (D), Powers (R), Yager (R) and Yarbro (D).

TRANSPORTATION AND SAFETY

Massey (R), Chairperson; Powers (R), First Vice Chairperson; Pody (R), Second Vice Chairperson; Bailey (R), Bowling (R), Briggs (R), Gilmore (D), Niceley (R) and Stevens (R).

SELECT COMMITTEES

CALENDAR

Jackson (R), Chairperson; Johnson (R), Vice Chairperson; and Yarbrow (D), Secretary.

ETHICS

Haile (R), Chairperson; Stevens (R), Vice Chairperson; Akbari (D), Southerland (R), and Johnson (R).

RULES

Watson (R), Chairperson; Briggs (R), Vice Chairperson; Haile (R), Kelsey (R), Secretary; and Yarbrow (D).

DELAYED BILLS

Mr. Speaker McNally (R), Chairperson; Johnson (R), Vice Chairperson; Yarbrow (D), Secretary.

APPOINTMENTS

Pursuant to Senate Rules 3, 73 and 74, the Speaker announced the appointments for the Senate of the One Hundred Twelfth General Assembly:

APPOINTMENT OF SPEAKER PRO TEMPORE

Pursuant to Rule 3, Senator Ferrell Haile of Sumner County was appointed Speaker Pro Tempore.

APPOINTMENT OF DEPUTY SPEAKER

Senator Janice Bowling of Coffee County and Senator Jon Lundberg of Sullivan County were appointed Deputy Speakers.

MOTION

Senator Johnson moved that Rule 21 be suspended for the purpose of allowing **Senate Joint Resolution No. 25** to be referred to committee.

Senator Yarbrow objected to the suspension of rules.

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On motion, the rules were suspended by the following vote:

Ayes 27
Nos 4

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Swann, Walley, Watson, White, Yager, and Mr. Speaker McNally--27.

Senators voting no were: Akbari, Campbell, Robinson and Yarbrow--4.

MOTION

Senator Bailey moved that Rule 83(8) be suspended for the purpose of placing **Senate Joint Resolution No. 25** on the calendar for the Committee on Commerce and Labor for Wednesday, January 13, 2021 at 2 p.m., which motion prevailed.

MOTION

Senator Johnson moved that Rule 83(1) be suspended for the purpose of allowing the Committee on Health and Welfare to meet Wednesday, January 13 at 3 p.m.

MOTION

Senator Crowe moved that Rule 83(8) be suspended for the purpose of placing **Senate Joint Resolution No. 25** on the calendar for the Committee on Health and Welfare for Wednesday, January 13, 2021 at 3 p.m., which motion prevailed.

RECALL OF BILL

On motion of Senator Massey, **Senate Bill No. 16** was recalled from the Committee on Commerce and Labor.

WITHDRAWAL OF BILL

On motion of Senator Massey, Senate Bill No. 16 was withdrawn from the Senate.

RECESS

Senator Johnson moved that pursuant to **Senate Joint Resolution No. 24** the Senate recess and repair in a body to War Memorial Auditorium to meet the House of Representatives in Joint Convention for the purpose of the election of the Constitutional Officers, and further moved that at the conclusion of the Joint Convention that the Senate reconvene immediately in the Senate Chamber for the purpose of adjourning Organizational Session and convening the Regular Session of the 112th General Assembly.

IN JOINT CONVENTION ELECTION OF CONSTITUTIONAL OFFICERS

CALL TO ORDER

Mr. President McNally called the Joint Convention to order pursuant to **Senate Joint Resolution No. 24**.

ROLL CALL

Mr. President McNally declared a quorum was present.

On motion of Senator Johnson, the roll call of the Senate was dispensed with.

On motion of Senator Johnson, the reading of **Senate Joint Resolution No. 24** was dispensed with.

On motion of Representative Lamberth, the roll call of the House was dispensed with.

MOTION

Representative Johnson moved that the Report of the Select Committee to Review the Audits and Operations of the Comptroller of the Treasury and the Department of Treasury be adopted and spread upon the Journal, which motion prevailed.

Senator Watson seconded the motion.

**REPORT OF THE SELECT COMMITTEE TO REVIEW THE AUDITS
AND OPERATIONS OF THE COMPTROLLER OF THE TREASURY
AND THE DEPARTMENT OF TREASURY**

On January 12, 2021, the select committee appointed by the Speakers of the Senate and the House of Representatives, pursuant to Tennessee Code Annotated, Sections 8-4-102 and 8-5-102, met to review the audits and operations of the Office of the Comptroller of the Treasury and the Department of the Treasury in House Hearing Room I of the Cordell Hull Building. The select committee was composed of Representative Curtis Johnson, Representative Gary Hicks, Representative Bob Freeman, Senator Jack Johnson, Senator Jeff Yarbrow, and Senator Bo Watson, who served as chairman. A quorum was present.

Kathy Stickel presented the following information to the committee on behalf of Treasurer David H. Lillard, Jr., and Comptroller Justin P. Wilson:

1. An audit report of the Office of the Comptroller of the Treasury, dated December 2020;
2. An audit report of the Department of the Treasury for the fiscal year ending June 30, 2020; and
3. A report entitled "State of Tennessee Office of the Comptroller of the Treasury, Department of Audit External Peer Review for the period July 1, 2019 through June 30, 2020" conducted under the direction of the National State Auditors Association.

Representative Johnson of Montgomery moved that the committee accept the audit of the Office of the Comptroller of the Treasury as being properly conducted and in compliance with all laws and to report such action to the Senate and House of Representatives. The motion was seconded. The motion carried unanimously.

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Representative Hicks of Hawkins moved that the committee accept the audit of the Department of the Treasury as being properly conducted and in compliance with all laws and to report such action to the Senate and House of Representatives. The motion was seconded. The motion carried unanimously.

There being no further business, the committee adjourned.

Submitted by:

/s/ Representative Curtis Johnson
/s/ Representative Gary Hicks
/s/ Representative Bob Freeman

/s/ Senator Jack Johnson
/s/ Senator Jeff Yarbrow
/s/ Senator Bo Watson

ELECTION OF COMPTROLLER OF THE TREASURY

Mr. President McNally declared that the next order of business was the election of the Comptroller of the Treasury, and that nominations were now in order.

Representative Lamberth placed in nomination the name of the Honorable Jason E. Mumpower of Sullivan County.

Senator Johnson seconded the nomination of Mr. Mumpower.

Representative Marsh moved that the nominations cease and the Honorable Jason E. Mumpower be elected by acclamation, which motion prevailed.

Thereupon, Mr. President McNally declared the Honorable Jason E. Mumpower duly, legally and constitutionally elected Comptroller of the Treasury for the ensuing two years.

APPOINTMENT OF SELECT COMMITTEE

Mr. President McNally appointed Senator Johnson to escort Mr. Mumpower to the Well.

OATH OF OFFICE

The Honorable Justice William Koch, Jr. administered the oath of office to Mr. Mumpower.

Mr. Comptroller Mumpower made remarks.

ELECTION OF TREASURER

Mr. President McNally declared that the next order of business was the election of the State Treasurer and that nominations were now in order.

Senator Yager placed in nomination the name of the Honorable David H. Lillard, Jr., of Fayette County.

Representative Faison seconded the nomination of Mr. Lillard.

Representative Marsh moved that the nominations cease and the Honorable David H. Lillard, Jr., be elected by acclamation.

Thereupon, Mr. President McNally declared the Honorable David H. Lillard, Jr., duly, legally and constitutionally elected State Treasurer for the ensuing two years.

APPOINTMENT OF SELECT COMMITTEE

Mr. President McNally appointed Senator Yager to escort Mr. Lillard to the Well.

OATH OF OFFICE

The Honorable Justice William Koch, Jr. administered the oath of office to Mr. Lillard.

Mr. Treasurer Lillard made remarks.

ELECTION OF SECRETARY OF STATE

Mr. President McNally declared that the next order of business was the election of the Secretary of State and that nominations were now in order.

Senator Johnson placed in nomination the name of the Honorable Mr. Tre Hargett of Sumner County.

Representative Lamberth seconded the nomination of Mr. Hargett.

Senator Haile moved that the nominations cease and the Honorable Tre Hargett be elected by acclamation.

An objection having been raised, Mr. President McNally directed the Clerks to call the roll of their respective bodies.

The Chief Clerk of the Senate called the roll of the Senate with the following results:

For Mr. Hargett	27
Noes	0
Present, not voting	4

Senators voting for Mr. Hargett were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Swann, Walley, Watson, White, Yager, and Mr. Speaker McNally--27.

Senators present and not voting were: Akbari, Campbell, Robinson, Yarbro--4.

The Chief Clerk of the House of Representatives called the roll of the House with the following results:

For Mr. Hargett	85
Noes	0
Present, not voting	8

Total for Mr. Hargett.	112
Total Noes	0
Total Present, not voting . .	12

Thereupon, Mr. President McNally declared the Honorable Tre Hargett, duly, legally and constitutionally elected State Treasurer for the ensuing two years.

APPOINTMENT OF SELECT COMMITTEE

Mr. President McNally appointed Representative Marsh to escort Mr. Hargett to the Well.

OATH OF OFFICE

The Honorable Justice William Koch, Jr. administered the oath of office to Mr. Hargett.

Mr. Secretary of State Hargett made remarks.

MR. PRESIDENT MCNALLY RELINQUISHES CHAIR

Mr. President McNally relinquished the Chair to Mr. Speaker Sexton, as President of the Joint Convention

DISSOLUTION OF JOINT CONVENTION

Mr. President Sexton declared, pursuant to **Senate Joint Resolution No. 24**, the purpose for which the Joint Convention was assembled having been accomplished, the Joint Convention stood dissolved.

CALL TO ORDER

The Senate met at 10:00 a.m., and was called to order by Mr. Speaker McNally.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

MOTION

Senator Johnson moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 26**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 26 -- General Assembly, Recess & Reconvene -- Adjourns organizational session of 112th General Assembly on Wednesday, January 13, 2021, and convenes 2021 regular session immediately thereafter.

On motion of Senator Johnson, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 26** was concurred in.

A motion to reconsider was tabled.

ADOPTION OF PERMANENT RULES OF ORDER

Senator Watson moved that the Temporary Rules of Order for the Senate of the One Hundred Twelfth General Assembly, as amended, be made the Permanent Rules of Order for the Senate of the One Hundred Twelfth General Assembly.

**REPORT OF THE COMMITTEE ON RULES
ONE HUNDRED TWELFTH GENERAL ASSEMBLY**

Mr. Speaker, the Committee on Rules having met, submits to the Senate the following committee report as the recommendation to amend the Temporary Rules of Order for the Senate of the One Hundred Twelfth General Assembly. Further, the Committee on Rules recommends the adoption of the Amended Temporary Rules of Order of the One Hundred Twelfth General Assembly as the Permanent Rules of Order of the Senate of the One Hundred Twelfth General Assembly:

I. Rule 85, Article IV, SECTION 1 be amended as follows:

(a) The Senate Committee on Ethics shall be composed of five (5) members ~~three (3) members of the majority party and three (3) members of the minority party~~, appointed by the Speaker. The Committee shall have authority to render, upon request of any Senator, advisory opinions as to whether the facts and circumstances of the particular case constitute or will constitute a violation or probable violation of the Code of Ethics for the Senate or of any statute governing senatorial ethics or conduct. The identity of persons involved will be kept in confidence.

Legislative Intent: *This amendment corrects an internal inconsistency between Rule 76(4) and Rule 86(VI)(1). It further provides proper application of Rule 73.*

/s/ Senator Bo Watson
Chairman, Committee on Rules
January 13, 2021

Senator Watson moved that the Report of Committee on Temporary Rules of Order for the Senate of the One Hundred Twelfth General Assembly be adopted, which motion prevailed by the following vote:

Ayes 27

WEDNESDAY, JANUARY 13, 2021 -- 2ND ORGANIZATIONAL DAY

Noes 4

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Walley, Watson, White, Yager and Mr. Speaker McNally--27.

Senators voting no were: Akbari, Campbell, Robinson and Yarbrow--4.

A motion to reconsider was tabled.

MOTION

Senator Watson moved that the Temporary Rules of Order for the Senate of the One Hundred Twelfth General Assembly, as amended, be made the Permanent Rules of Order for the Senate of the One Hundred Twelfth General Assembly, which motion prevailed by the following vote:

Ayes 27
Noes 4

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Walley, Watson, White, Yager and Mr. Speaker McNally--27.

Senators voting no were: Akbari, Campbell, Robinson and Yarbrow--4.

A motion to reconsider was tabled.

MOTION

Senator Johnson moved that a committee be appointed by the Speaker to notify the Governor that the Senate had completed its business and was ready to adjourn, which motion prevailed.

APPOINTMENT OF SELECT COMMITTEE

The Speaker announced the appointments of Senators Jackson, Chairperson; Campbell, Hensley, Gardenhire, Crowe and Massey to notify the Governor that the Senate had completed its business and was ready to adjourn.

MOTION

Senator Johnson moved that a committee be appointed by the Speaker to notify the House that the Senate had completed its business and was ready to adjourn, which motion prevailed.

APPOINTMENT OF SELECT COMMITTEE

WEDNESDAY, JANUARY 13, 2021 -- 2ND ORGANIZATIONAL DAY

The Speaker announced the appointments of Senators Bell, Chairperson; Niceley, Southerland, Akbari, Robinson and Roberts to notify the House that the Senate had completed its business and was ready to adjourn.

RECESS

The Senate stood in recess pending reports from the two committees.

CALL TO ORDER

The Senate was called to order by Mr. Speaker McNally.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

REPORT OF SELECT COMMITTEES

Senator Bell advised the Senate that the House had been notified that the Senate had completed its business and was ready to adjourn.

Senator Jackson advised the Senate that the Governor had been notified that the Senate had completed its business and was ready to adjourn.

ADJOURNMENT

Senator Johnson moved that pursuant to **House Joint Resolution No. 26**, the Organizational Session of the One Hundred Twelfth General Assembly stand adjourned sine die, which motion prevailed.